

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

August 17, 2022

[Cite as *08/17/2022 Case Announcements*, 2022-Ohio-2788.]

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## MERIT DECISIONS WITH OPINIONS

**2020-0608. State v. CSX Transp., Inc., Slip Opinion No. 2022-Ohio-2832.**

Union App. Nos. 14-19-07 through 14-19-11, [2020-Ohio-2665](#). Judgment reversed.

Kennedy and DeWine, JJ., concur.

Fischer, J., concurs in judgment only, with an opinion joined by O'Connor, C.J.

Stewart, J., concurs in judgment only.

Brunner, J., dissents, with an opinion joined by Donnelly, J.

**2021-1159. State ex rel. Grendell v. Geauga Cty. Bd. of Commrs., Slip Opinion No. 2022-Ohio-2833.**

In Mandamus. Cause dismissed. Relator's motion to strike notice of mootness denied. Relator's motion for peremptory writ denied as moot.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

## MERIT DECISIONS WITHOUT OPINIONS

### **2022-0459. State ex rel. Clemons v. Ohio Bur. of Workers' Comp.**

In Mandamus. On relator's motion for immediate allowance and order of alternative writ of mandamus. Motion denied. Respondent's motion to dismiss amended complaint granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

### **2022-0472. State ex rel. Dates v. Hamilton Cty. Courthouse.**

In Mandamus and Prohibition. On motion to dismiss of Hamilton County respondents. Motion granted. Motion to dismiss of Carpenter Lipps & Leland, L.L.P., and Michael H. Carpenter granted. Motion to dismiss of HSBC Bank USA, N.A., as Trustee for the Certificate Holder of ACE Securities Corp. Home Equity Loan Trust, Series 2006-FM2 Asset-Back Pass-Through Certificates, et al. granted. Hamilton County respondents' request that relator be declared a vexatious litigator denied. Sua sponte, cause dismissed as to remaining respondents. Cause dismissed.

O'Connor, C.J., and Kennedy, Donnelly, and Stewart, JJ., concur.

Fischer and DeWine, JJ., would grant Hamilton County respondents' request.

Brunner, J., not participating.

### **2022-0591. Waterhouse v. Summit Cty. Court of Common Pleas.**

In Mandamus. On respondents' motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

### **2022-0592. Waterhouse v. Summit Cty. Court of Common Pleas.**

In Procedendo. On respondents' motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

### **2022-0602. State ex rel. Griffitts v. State.**

In Procedendo. On motion to dismiss of Medina County Court of Common Pleas. Motion granted. Respondent's motion to dismiss granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0612. Griffitts v. State.**

In Procedendo. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart and Brunner, JJ., concur.

**2022-0617. State ex rel. Adkins v. Cantrell.**

In Mandamus. On respondent's motion to dismiss. Motion denied. Relator's motion for order to prevent miscarriage of justice and motion for an institutional control number denied. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

O'Connor, C.J., and Kennedy, DeWine, Donnelly, and Brunner, JJ., concur.  
Fischer and Stewart, JJ., dissent and would grant the motion to dismiss.

**2022-0627. State ex rel. Griffitts v. State.**

In Procedendo. On respondents' motions to dismiss. Motions granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0631. State ex rel. Gibson v. Montgomery.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0640. Armengau v. Miller.**

In Mandamus and Prohibition. On respondent's motion to dismiss. Motion granted. Cause dismissed.

Kennedy, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

O'Connor, C.J., and Fischer, J., concur and would sua sponte declare relator a vexatious litigator.

**2022-0655. State ex rel. Mobley v. Ohio Supreme Court Justices.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0670. Burns v. Lima Common Pleas Court.**

In Mandamus. On respondents' motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0678. Mansfield v. Chapman.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0683. Holmes v. Caparella-Kraemer.**

In Prohibition. On respondent's motion to dismiss. Motion granted. Relator's motion for leave to amend complaint denied. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0690. Sanford v. Franklin Cty. Common Pleas Court.**

In Prohibition. On respondents' motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0698. Denson v. Lima Common Pleas Court.**

In Mandamus. On motion to dismiss of respondents Juergen A. Waldick and Judge Terri L. Kohlrieser. Motion granted. Sua sponte, cause dismissed as to respondent Detective Todd Jennings. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0702. State ex rel. Sultaana v. Mansfield Corr. Inst.**

In Mandamus. On relator's motion to compel. Motion denied. Sua sponte, alternative writ granted. The following schedule is set for the presentation of

evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0722. Louis v. Hamilton Cty. Court of Common Pleas.**

In Mandamus. On respondent's motion to dismiss. Motion granted. Cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

**2022-0766. State ex rel. McCorkle v. O'Shaughnessy.**

In Mandamus. On respondent's motion to dismiss. Motion denied. Sua sponte, alternative writ granted. The following schedule is set for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 12.05: The parties shall file any evidence they intend to present within 20 days, relator shall file a brief within 10 days after the filing of the evidence, respondent shall file a brief within 20 days after the filing of relator's brief, and relator may file a reply brief within 7 days after the filing of respondent's brief.

O'Connor, C.J., and Kennedy, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

Fischer, J., dissents and would grant the motion.

## **MOTION AND PROCEDURAL RULINGS**

**2020-1498. State ex rel. Ware v. Crawford.**

In Mandamus. On relator's motion for a court order to hold respondent in contempt. Motion granted. Respondent held in contempt and \$1,000 sanction imposed, subject to purge by providing the requested records per this court's February 8, 2022 order within 21 days.

Fischer, J., dissents.

**2021-1193. League of Women Voters of Ohio v. Ohio Redistricting Comm.**

Miscellaneous case. On petitioners' motion for an order requiring respondents to explain their failure to comply with the court's May 25, 2022 order. Motion denied.

Brunner, J., dissents.

DeWine, J., not participating.

**2021-1198. Bennett v. Ohio Redistricting Comm.**

Miscellaneous case. On petitioners' motion to enforce the court's May 25, 2022 order and require respondents to explain their failure to comply. Motion denied.

Brunner, J., dissents.

DeWine, J., not participating.

**2021-1210. Ohio Organizing Collaborative v. Ohio Redistricting Comm.**

Miscellaneous case. On petitioners' joinder and motion for an order directing respondents to appear in person for a hearing. Motion denied.

Brunner, J., dissents.

DeWine, J., not participating.

**2022-0360. Arnoff v. Cuyahoga Cty. Fiscal Office.**

Miscellaneous case. On relator's motion to recast original action as mandamus. Motion denied. Relator's motion to correct plain error denied.

**2022-0460. Davis v. Mercy St. Vincent Med. Ctr.**

Lucas App. No. L-21-1095, [2022-Ohio-1266](#). On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause held for the decision in 2022-0407 and 2022-0424, *Everhart v. Coshocton*; cause consolidated with 2022-0658, *Davis v. Mercy St. Vincent Med. Ctr.*; and briefing schedule stayed.

**2022-0717. McCarthy v. Lee.**

Franklin App. No. 21AP-105, [2022-Ohio-1033](#). On review of order certifying a conflict. The court determines that a conflict exists. Sua sponte, cause held for the decision in 2022-0407 and 2022-0424, *Everhart v. Coshocton*; cause consolidated with 2022-0718, *McCarthy v. Lee*; and briefing schedule stayed.

**2022-0762. Ziegler v. Ziegler.**

Greene App. No. 2021-CA-18, [2022-Ohio-1527](#). On appellant's motion for stay of court of appeals' judgment. Motion denied.

## APPEALS ACCEPTED FOR REVIEW

**2022-0488. State v. Johnson.**

Cuyahoga App. No. 110347, [2022-Ohio-81](#).

Kennedy, Fischer, and DeWine, JJ., dissent.

**2022-0658. Davis v. Mercy St. Vincent Med. Ctr.**

Lucas App. No. L-21-1095, [2022-Ohio-1266](#). Sua sponte, cause held for the decision in 2022-0407 and 2022-0424, *Everhart v. Coshocton*; cause consolidated with 2022-0460, *Davis v. Mercy St. Vincent Med. Ctr.*; and briefing schedule stayed.

**2022-0718. McCarthy v. Lee.**

Franklin App. No. 21AP-105, [2022-Ohio-1033](#). Sua sponte, cause held for the decision in 2022-0407 and 2022-0424, *Everhart v. Coshocton*; cause consolidated with 2022-0717, *McCarthy v. Lee*; and briefing schedule stayed.

## APPEALS NOT ACCEPTED FOR REVIEW

**2022-0609. State v. Hall.**

Warren App. No. CA2020-12-087, [2022-Ohio-1147](#).

Donnelly, J., dissents.